

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

<b>UNITED STATES OF AMERICA</b>	*	<b>CRIMINAL NO.: 10-142</b>
<b>v.</b>	*	<b>SECTION: "F"</b>
<b>IGNATIUS HILLS</b>	*	<b>VIOLATION: 18 U.S.C. § 371</b>
		<b>18 U.S.C. § 4</b>
	*   *   *	

**FACTUAL BASIS**

If this matter were to go to trial, the Government would prove beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible exhibits, the following facts to support the allegations in the two-count Bill of Information now pending against defendant **IGNATIUS HILLS**, charging him with conspiring to obstruct justice in the investigation of the Danziger Bridge shooting that occurred on September 4, 2005, and with failing to report a felony crime. Specifically, Count One charges that defendant **HILLS** conspired with other New Orleans Police Department (NOPD) officers, in violation of 18 U.S.C. § 371, to knowingly engage in misleading conduct toward another person with intent to hinder, delay, and prevent the communication to a federal law enforcement officer and judge of truthful information relating to the commission and possible commission of a federal offense, in violation of Title 18, United

States Code, Section 1512(b)(3). All in violation of Title 18, United States Code, Section 371.

Count Two charges defendant **HILLS** with misprision of a felony, in violation of Title 18, United States Code, Section 4, for concealing crimes he witnessed in the aftermath of the Danziger Bridge shootings. From in or about September 2005, until April 2010, the defendant knew that officers with NOPD had knowingly falsified reports with intent to impede, obstruct, and influence the investigation of the Danziger Bridge shooting, a matter within federal jurisdiction (in violation of Title 18, United States Code, Section 1519), and had knowingly engaged in misleading conduct intended to hinder, prevent, or delay the communication to a federal law enforcement officer and judge of truthful information relating to the commission and possible commission of a federal offense (in violation of Title 18, United States Code, Section 1512(b)(3)). The defendant concealed these crimes and provided false statements to investigators. All in violation of Title 18, United States Code, Section 4.

#### The Shootings

In 2005, defendant **HILLS** was an officer assigned to NOPD's Seventh District. After Hurricane Katrina struck New Orleans, defendant **HILLS** and other Seventh District officers reported to work at a temporary station at the Crystal Palace on Chef Menteur Highway. On September 4, 2005, in response to a radio call that officers on the I-10 high-rise bridge had come under fire, defendant **HILLS** and other NOPD officers

loaded into a large Budget rental truck and rode from the Crystal Palace to the nearby Danziger Bridge. Defendant **HILLS** rode in the back of the truck, along with numerous other officers.

When the truck arrived at the bridge, defendant **HILLS** heard rifle fire in the area of the front of the truck. Defendant **HILLS** could not see where the gunfire was coming from, but he did not hear any shots hit the outside of the truck. While defendant **HILLS** was still in the back of the truck, he saw a young black male running down the bridge on a pedestrian walkway that was separated from the roadway by a short concrete wall. As the juvenile ran away from officers, headed east-bound down the Danziger Bridge, defendant **HILLS** shot at the juvenile, but missed, using his NOPD-issued handgun. At no time did defendant **HILLS** see the juvenile reach for anything in his waistband or make any other aggressive movements. At no time did defendant **HILLS** yell any commands or warnings, and at no time did he hear other officers do so. The juvenile at whom defendant **HILLS** shot was taken into custody by NOPD near the bottom of the bridge. After the juvenile was in custody, **HILLS** learned that he was the son of two of the civilians who had been shot by other NOPD officers on the bridge.

After the shootings on the bridge, defendant **HILLS** saw numerous civilians, including females, lying bloody and wounded on the walkway. He did not see any guns on or near the civilians, and did not perceive any threat from them. At no time did any of

the injured civilians say or imply that they had fired guns on the bridge. At no time did defendant **HILLS** go to the West side of the bridge.

While still on the bridge, Sergeant A (one of the sergeants who had been in the Budget truck) talked to other officers to get their stories straight about why officers had shot at civilians and about where the civilians' guns had allegedly gone.

Later that day, defendant **HILLS** and the other officers returned to the Crystal Palace, where the Investigator gathered together the officers who had been in the Budget truck and then dismissed from the meeting any officer who said that he or she had not fired a gun. The officers who admitted having fired their weapons on the bridge sat at a round table with the Investigator.

While at the Crystal Palace, defendant **HILLS** saw Lance Madison in custody. **HILLS** understood that an officer had shot and killed Madison's brother on the west side of the bridge, and that Madison had then been arrested for allegedly shooting at the police. Defendant **HILLS** believed, based on second-hand information, that the shooting of Madison's brother had been unjustified. **HILLS** heard rumors that Madison did not have a gun on the bridge, and **HILLS** assumed that Madison was going to be "framed."

#### The False Gist

Several hours after the shooting, defendant **HILLS** and other officers transported Lance Madison to the Greyhound Station, which was being used as a temporary jail. At the station, the Investigator instructed defendant **HILLS** to write a "Gist," an NOPD

statement of probable cause, justifying Madison's arrest on eight counts of Attempted Murder of a Police Officer. The Investigator dictated the Gist as defendant **HILLS** wrote it. Defendant **HILLS** then signed the sworn statement, even though he had no first-hand information about any wrongdoing by Madison, and although he had some concerns that Madison was being framed.

#### The False Reports and False Statements

Between September 4, 2005, and January 25, 2006, some of the officers involved in the Danziger Bridge incident discussed with each other the stories they would tell about what happened on the bridge. Defendant **HILLS** understood, among other things, that the Investigator and Sergeant A were helping Officer A fashion a statement that would make the shooting appear justified.

Between September and December 2005, defendant **HILLS** and some of the other officers involved in the Danziger Bridge incident saw a report of the Danziger Bridge investigation. **HILLS** understood that many claims in the report were false and misleading. Specifically, he understood that Sergeant A had given a false account of his actions on the bridge, and that numerous officers had lied and said that the civilians on the bridge had shot at them. With respect to **HILLS**'s own actions, the report was misleading because it failed to mention that he had fired his weapon. **HILLS** also understood, from conversations with other officers, that reports submitted for the incident would claim, falsely, that a gun had been found on or near the bridge.

On or about January 25, 2006, prior to giving a formal, audiotaped statement, defendant **HILLS** attended a meeting called by the Investigator and another Homicide sergeant investigating the case. The meeting, attended by defendant **HILLS** and the other shooters who still worked for NOPD, was held in the abandoned and gutted-out Seventh District station. At the meeting, the Investigator instructed the officers to make sure that their stories were consistent before they gave their formal statements. The officers, including defendant **HILLS**, then discussed their statements before participating in audiotaped interviews. **HILLS** knew that he and the other officers were preparing to give false statements regarding the bridge shooting.

Immediately after the meeting, defendant **HILLS** met with homicide detectives and with their encouragement, provided a false account of his own shooting on the bridge. Specifically, defendant **HILLS** lied when he said that police officers on the bridge announced themselves as police and told civilians to stop and put up their hands; he lied when he said that the civilian he fired at clutched his waistband and turned toward **HILLS** as if grabbing for a weapon; he lied when he said he saw “something shiny” around the civilian’s waistband area; he lied when he said that, before he fired his weapon, he got out of the truck and yelled for the civilian to stop; and he lied when he said that he saw the civilian jump over the bridge at one point.

### False Statements to the State Grand Jury

On October 25, 2006, defendant **HILLS** testified before a state grand jury investigating the Danziger Bridge incident. Under oath, **HILLS** again made false statements about the shooting. In the grand jury, defendant **HILLS** lied when he claimed that the civilian at whom he had shot had turned back toward the Budget truck “as if he was, you know, kind of like drawing a weapon”; he lied when he claimed that officers were yelling, “Stop, don’t move,” as the civilian ran; and he lied when he said that the civilian at whom he had shot had not been apprehended that day.

### Miscellaneous Matters

At no point during the investigation of the Danziger Bridge incident did defendant **HILLS** make any compelled statement to an NOPD investigator. At no point did defendant **HILLS** learn of any administrative interviews done in the Danziger Bridge investigation.

Defendant **HILLS**, like every sworn officer with NOPD, had been trained about the proper use of physical force, including deadly force, and about the consequences for a use of excessive force. The defendant, along with every other sworn NOPD officer, was taught that one of the consequences of an excessive use of force was that the FBI could investigate the incident as a criminal matter. The defendant and every other sworn NOPD officer also learned that an incident of excessive force could result in a federal civil suit and/or criminal prosecution in federal court.

Defendant **HILLS** never heard anyone mention a suspect who had gotten away during the incident on the Danziger Bridge, and never heard anyone mention a civilian on the bridge with an assault rifle. And at no point did anyone ever mention Lance Madison having admitted that either he or his brother had possessed or fired a gun on the bridge that day.

Both the Government and the defendant, **IGNATIUS HILLS**, do hereby stipulate and agree that the above facts are true, and that they set forth a sufficient factual basis for the crime to which the defendant is pleading guilty. Both the government and the defendant also agree that this factual basis does not contain all of the relevant information known to the defendant. This is a sufficient factual basis, but it is not an exhaustive statement by the defendant.

READ AND APPROVED this \_\_\_\_\_ day of May, 2010.

\_\_\_\_\_  
IGNATIUS HILLS  
Defendant

\_\_\_\_\_  
DATE

\_\_\_\_\_  
ROBERT JENKINS  
Counsel for Defendant

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BARBARA "BOBBI" BERNSTEIN  
Deputy Chief, Civil Rights Division  
U.S. Department of Justice

\_\_\_\_\_  
DATE

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JULIA K. EVANS  
Assistant United States Attorney

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DATE